IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

TUESDAY, THE TWENTY FIFTH DAY OF JANUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI DEVINDER GUPTA,THE CHIEF JUSTICE

and
THE HON'BLE MR JUSTICE M.NARAYANA REDDY

WRIT APPEAL NO : 2088 of 2004

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 20/08/2004 in WP NO : 26080 OF 2003 on the file of the High Court.)

Between:

Mohd. Alam, S/o. Meera Moinuddin,
D.No. 492(2), Canal Road, Attili,
West Godavari District.

..... APPELLANT

AND

1 The Muslim's Welfare Association, (Regd. No. 704/1993) Rep by its

President, Mohd. Sameeuddin, S/o. Ghaisuddin, R/o. Attili Village,

Tanuku Taluk, West Godavari District.
2 The A.P. State Wakf Board, Rep by its Chief Executive Officer,
Haj House Complex, Nampally, Hyderabad.
3 The District Revenue Officer-cum-District Wakf Officer, Collectorate,

Tanuku, West Godavari District.
4 The Inspector-Auditor, Wakfs, O/o. The District Revenue Officer-cum-

District Wakf Officer, Collectorate, Tanuku, West Godavari District.
5 Keta Satyanarayana, S/o. Venkanna,
D.No. 494, Poultry Farm, Attili, West Godavari District.
6 Chuttagulla Isack, S/o. Anjaneyulu,
D.No. 494, Bricks Unit, Attili, West Godavari District.

(R-6 is not necessary in this writ appeal)

.....RESPONDENT(S)

Counsel for the Appellant:MR.G.TUHIN KUMAR

Counsel for the Respondent No.1: Mr.Syed Sharif Ahmed

Counsel for the Respondent No.2 and 4: Mr.S.M.Subhani (SC FOR AP WAKF BOARD)

Counsel for the Respondent No.3: Govt. Pleader for Minorities Welfare

Counsel for the Respondent No.5: Mr.K.L.N.Swami

The Court at the admission stage made the following :

ORAL ORDER: (per the Hon'ble the Chief Justice)

Appellant was respondent No.4 in the writ petition, which was filed by the first respondent. Writ Petition was disposed of because of the fact that proceedings had already been initiated under Section 54 of the Wakf Act, 1995 against the encroachers.

Learned counsel for the appellant submits that appellant is not an encroacher and Section 54 of the Wakf Act is not applicable to the appellant. We cannot go into this aspect in this appeal inasmuch as we are informed that show cause notice was duly issued to the appellant and the competent authority passed an order of eviction against the appellant on 17-10-2004. In case the appellant has any grievance, he will have to work out his remedies in accordance with law by assailing the order of eviction.

We find no substance in the appeal in view of what has been stated above and the same is hereby dismissed.

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DEVINDER GUPTA, CJ

25-1-2005

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M.NARAYANA REDDY, J

Tvr

To

1. The Chief Executive Officer, A.P. State Wakf Board,
   Haj House Complex, Nampally, Hyderabad.
2 The District Revenue Officer-cum-District Wakf Officer, Collectorate,

Tanuku, West Godavari District.
3 The Inspector-Auditor, Wakfs, O/o. The District Revenue Officer-cum-

District Wakf Officer, Collectorate, Tanuku, West Godavari District.

4. 2 CCs to the Govt. Pleader for Minorities Welfare, High Court

Buildings, Hyderabad (OUT).

5 2 CD copies.